

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

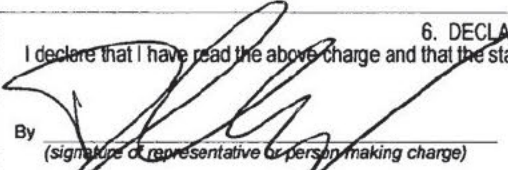
DO NOT WRITE IN THIS SPACE

Case
31-CA-093108

Date Filed
11/9/12

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer The Gentle Barn Foundation, Inc.	b. Tel. No. 661-252-2440
	c. Cell No.
d. Address (Street, city, state, and ZIP code) 15825 Sierra Highway, Santa Clarita, CA 91390	f. Fax No. 661-251-2440
e. Employer Representative (b) (6), (b) (7)(C)	g. e-Mail info@gentlebarn.org
	h. Number of workers employed 1-10
i. Type of Establishment (factory, mine, wholesaler, etc.) Petting Zoo	j. Identify principal product or service Animals
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), together with other employees of the Gentle Barn Foundation, Inc., were engaged in concerted activities. Specifically, on or about (b) (6), (b) (7)(C) and/or (b) (6), (b) (7)(C) 2012, they were discussing work-related issues (unrelated to their compensation). The employees were having a confidential conversation among themselves about work-related concerns. However, in violation of California Penal Code Section 630 et seq., the Gentle Barn Foundation, Inc.'s (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) secretly (i.e., without the knowledge or consent of the employees) was making an audio recording of the employees' discussion. Thereafter, on (b) (6), (b) (7)(C) 2012, (b) (6), (b) (7)(C) terminated the employment of both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) as a result of the discussion that was illegally recorded of the employees' conversation.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)	
4a. Address (Street and number, city, state, and ZIP code) care of: Drew L. Alexis, Esq. Kinaga Law Firm 617 S. Olive Street, Suite 1210 Los Angeles, CA 90014	4b. Tel. No. 213-623-8588 4c. Cell No. 562-544-9809 4d. Fax No. 213-623-8788 4e. e-Mail dalexis@kinagalawfirm.com
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) N/A	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By  (signature of representative or person making charge) Drew L. Alexis (attorney) (Print/type name and title or office, if any)	
Tel. No. 213-623-8588 Office, if any, Cell No. 562-544-9809 Fax No. 213-623-8788 e-Mail dalexis@kinagalawfirm.com	
Address 617 S. Olive Street, Suite 1210, Los Angeles, CA 90014	11/6/12 (date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11150 W OLYMPIC BLVD
STE 700
LOS ANGELES, CA 90064-1825

Agency Website: www.nlrb.gov
Telephone: (310)235-7351
Fax: (310)235-7420

November 14, 2012

THE GENTLE BARN FOUNDATION, INC.
ATTN: (b) (6), (b) (7)(C)
15825 SIERRA HWY
SANTA CLARITA, CA 91390-4731

Re: The Gentle Barn Foundation, Inc.
Case 31-CA-093108

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney SIMONE PANG whose telephone number is (310)235-6169, Ext 222. If this Board agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)235-7459.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



Mori Pam Rubin
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

Revised 3/21/2011

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

The Gentle Barn Foundation, Inc.

CASE NUMBER

31-CA-093108

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$

YES NO

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

THE GENTLE BARN FOUNDATION, INC.

Charged Party

and

(b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C)

Charging Party

Case 31-CA-093108

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on November 14, 2012, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

THE GENTLE BARN FOUNDATION, INC.
ATTN: **(b) (6), (b) (7)(C)**
15825 SIERRA HWY
SANTA CLARITA, CA 91390-4731

November 14, 2012

Date

Natalie Garcia, Designated Agent of NLRB

Name

/s/ Natalie Garcia

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11150 W OLYMPIC BLVD
STE 700
LOS ANGELES, CA 90064-1825

Agency Website: www.nlrb.gov
Telephone: (310)235-7351
Fax: (310)235-7420

November 14, 2012

(b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C)
C/O DREW L. ALEXIS
KINAGA LAW FIRM
617 S. OLIVE STREET, STE 1210
LOS ANGELES, CA 90014

Re: The Gentle Barn Foundation, Inc.
Case 31-CA-093108

Dear Mr. Alexis:

The charge that you filed in this case on November 9, 2012 has been docketed as case number 31-CA-093108. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge will be investigated by Field Attorney SIMONE PANG whose telephone number is (310)235-6169, Ext 222. If the Board agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)235-7459.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

November 14, 2012

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlrb.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlrb.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Mori Pam Rubin". The signature is written in a cursive, flowing style.

Mori Pam Rubin
Regional Director

cc: KINAGA LAW FIRM
617 S OLIVE ST., STE 1210
LOS ANGELES, CA 90014-1633

INTERNET
FORM NLRB-501
(2-09)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
AMENDED CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3012

DO NOT WRITE IN THIS SPACE

Case 31-CA-093108 Date Filed 12/10/12

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

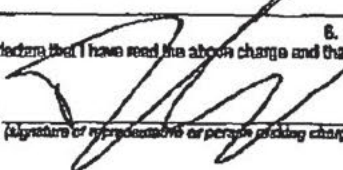
1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer The Gentle Barn Foundation, Inc.		b. Tel. No. 661-252-2440
		c. Cell No.
		d. Fax No. 661-251-2440
d. Address (Street, city, state, and ZIP code) 15625 Sarna Highway, Santa Clarita, CA 91390		e. Employer Representative (b) (6), (b) (7)(C)
		f. e-Mail info@gentlebam.org
		g. Number of workers employed 1-10
i. Type of Establishment (factory, mine, wholesaler, etc.) Petting Zoo	j. Identify principal product or service Animals	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)
(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), together with other employees of the Gentle Barn Foundation, Inc., were engaged in concerted activities. Specifically, on or about (b) (6), (b) (7)(C) and/or (b) (6), (b) (7)(C) 2012, they were discussing work-related issues in an effort to improve their working conditions. The employees were having a confidential conversation among themselves about work-related concerns. However, in violation of California Penal Code Section 630 et seq., the Gentle Barn Foundation, Inc.'s (b) (6), (b) (7)(C) secretly (i.e., without the knowledge or consent of the employees) was making an audio recording of the employees' discussion. Thereafter, on (b) (6), (b) (7)(C) 2012, (b) (6), (b) (7)(C) terminated the employment of both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) as a result of the discussion that was illegally recorded of the employees' conversation. Charging parties intended to allege in their November 6, 2012 charge, and hereby clarify that they allege, unlawful surveillance by the Gentle Barn Foundation, Inc. and retaliation for engaging in concerted protected activity.

3. Full name of every person, including full name, including local name and number (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)	
4a. Address (Street and number, city, state, and ZIP code) care of: Drew L. Alexis, Esq. Kinaga Law Firm 817 S. Olive Street, Suite 1210 Los Angeles, CA 90014	4b. Tel. No. 213-623-8588 4c. Cell No. 562-544-8809 4d. Fax No. 213-623-8788 4e. e-Mail dlexis@kinagalawfirm.com

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) N/A

6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By  Drew L. Alexis (attorney) (Signature of representative or person filing charge) (Print type name and title or office, if any)		Tel. No. 213-623-8588 Office, if any, Cell No. 562-544-8809 Fax No. 213-623-8788 e-Mail dlexis@kinagalawfirm.com
Address 817 S. Olive Street, Suite 1210, Los Angeles, CA 90014 12/11/12 (Date)		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Submission of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 161 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11150 W OLYMPIC BLVD
STE 700
LOS ANGELES, CA 90064-1825

Agency Website: www.nlrb.gov
Telephone: (310)235-7351
Fax: (310)235-7420

December 13, 2012

THE GENTLE BARN FOUNDATION, INC.
ATTN: (b) (6), (b) (7)(C)
15825 SIERRA HWY
SANTA CLARITA, CA 91390-4731

Re: The Gentle Barn Foundation, Inc.
Case 31-CA-093108

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney SIMONE PANG GANCAYCO whose telephone number is (310) 235-6169Ext222. If the agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310) 235-7459.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

Mori Pam Rubin
Regional Director

Enclosure: Copy of first amended charge

cc: KAUFMAN BERGEEST & RYAN LLP
ATTN: JEFFREY S. WHITTINGTON
23975 PARK SORRENTO. STE 370
CALABASAS, CA 91302-4022

KAUFMAN BERGEEST & RYAN LLP
ATTN: NICHOLAS SARRIS
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

KAUFMAN BERGEEST & RYAN LLP
ATTN: SADAF BATHAEE
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

THE GENTLE BARN FOUNDATION, INC.

Charged Party

and

(b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C)

Charging Party

Case 31-CA-093108

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on December 13, 2012, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

THE GENTLE BARN FOUNDATION, INC.
ATTN: **(b) (6), (b) (7)(C)**
15825 SIERRA HWY
SANTA CLARITA, CA 91390-4731

KAUFMAN BORGEEST & RYAN LLP
ATTN: NICHOLAS SARRIS
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

KAUFMAN BORGEEST & RYAN LLP
ATTN: JEFFREY S. WHITTINGTON
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

KAUFMAN BORGEEST & RYAN LLP
ATTN: SADAF BATHAEE
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

December 13, 2012

Date

Natalie Garcia, Designated Agent of NLRB

Name

/s/ Natalie Garcia

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 31
11150 W OLYMPIC BLVD
STE 700
LOS ANGELES, CA 90064-1825

Agency Website: www.nlrb.gov
Telephone: (310)235-7351
Fax: (310)235-7420

December 13, 2012

KINAGA LAW FIRM
ATTN: (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C)
C/O DREW L. ALEXIS
617 S. OLIVE STREET, SUITE 1210
LOS ANGELES, CA 90014

Re: The Gentle Barn Foundation, Inc.
Case 31-CA-093108

Dear (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Attorney SIMONE PANG GANCAYCO whose telephone number is (310) 235-6169Ext222. If the agent is not available, you may contact Supervisory Field Attorney JOANNA SILVERMAN whose telephone number is (310)235-7459.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Procedures: Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

A handwritten signature in cursive script that reads "Mori Pam Rubin".

Mori Pam Rubin
Regional Director

cc: KINAGA LAW FIRM
617 S OLIVE ST., STE 1210
LOS ANGELES, CA 90014-1633

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
Region 31

THE GENTLE BARN FOUNDATION, INC.

and

(b) (6), (b) (7)(C), an Individual

Cases 31-CA-093108 &
31-CA-099433

and

(b) (6), (b) (7)(C), an Individual.

**ORDER CONSOLIDATING CASES, CONSOLIDATED COMPLAINT
AND NOTICE OF HEARING**

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (the Board), and to avoid unnecessary costs or delay, IT IS ORDERED THAT Cases 31-CA-093108 and 31-CA-099433, which are based on charges filed by (b) (6), (b) (7)(C) an Individual, and (b) (6), (b) (7)(C), an Individual (together, Charging Parties), filed against The Gentle Barn Foundation, Inc. (Respondent) are consolidated.

This Order Consolidating Cases, Consolidated Complaint and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq., and Section 102.15 of the Board's Rules and Regulations, and alleges Respondent has violated the Act as described below:

1. The charges in the above cases were filed by the Charging Parties, as set forth in the following table, and served upon the Respondent on the dates indicated:

Case No.	Amendment	Date Filed	Date Served
31-CA-093108	N/A	November 9, 2012	November 14, 2012
31-CA-093108	Amended	December 10, 2012	December 13, 2012
31-CA-099433	N/A	February 28, 2013	March 5, 2013

2. (a) At all material times, Respondent, a corporation with an office and place of business in Santa Clarita, California, herein called the Facility, has been engaged in the business of operating a private nonprofit organization which rescues and rehabilitates animals.

(b) In conducting its operations during the calendar year ending December 31, 2011, Respondent derived gross revenues in excess of \$500,000.

(c) In conducting its operations during the calendar year ending December 31, 2011, Respondent performed services or sold and shipped from its Santa Clarita, California facility goods valued in excess of \$5,000 directly to points outside the State of California.

3. At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

4. At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and/or agents of Respondent within the meaning of Section 2(13) of the Act:

(b) (6), (b) (7)(C)

5. About (b) (6), (b) (7)(C) and/or (b) (6), 2012, Respondent, by (b) (6), (b) (7)(C), at Respondent's office, engaged in surveillance of employees engaged in concerted activities and/or created an impression among its employees that their concerted activities were under surveillance by Respondent.

6. (a) About (b) (6), (b) (7)(C) and (b) (6), 2012, Respondent's employees (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) engaged in concerted activities with other employees for the purposes of mutual aid and protection by complaining about working conditions.

(b) About (b) (6), (b) (7)(C) 2012, Respondent discharged (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C).

(c) Respondent engaged in the conduct described above in paragraph 6(b) because (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) engaged in the conduct described above in paragraph 6(a), and to discourage employees from engaging in these or other concerted activities.

7. Respondent, by the individuals named below, about the dates and at the locations opposite their names, created an impression among its employees that their concerted activities were under surveillance by Respondent:

Agent	Date	Location
(a) (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) 2012	(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) house
(b) (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) 2012	Respondent's office
(c) (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) 2012	Respondent's office
(d)	July 2, 2012	Respondent's office

8. By the conduct described above in paragraphs 5 through 7, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

9. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

WHEREFORE the Acting General Counsel seeks all relief as may be just and proper to remedy the unfair labor practices herein alleged, and in addition thereto, the Acting General Counsel seeks the following special remedies:

(i) As part of the remedy for the unfair labor practices alleged above in paragraph 6, the Acting General Counsel seeks an order requiring reimbursement of amounts equal to the difference in taxes owed upon receipt of a lump-sum payment and taxes that would have been owed had there been no discrimination.

(ii) The Acting General Counsel further seeks, as part of the remedy for the allegations in paragraph 6, that Respondent be required to submit the appropriate documentation to the Social Security Administration so that when backpay is paid, it will be allocated to the appropriate periods.

(iii) The Acting General Counsel further seeks all other relief as may be just and proper to remedy the unfair labor practices alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the consolidated complaint. The answer must be **received by this office on or before June 5, 2013, or postmarked on or before June 4, 2013.** Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file an answer electronically, go to www.nlr.gov, click on **File Case Documents**, enter the NLRB Case Number, and then follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the consolidated complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT ON **August 19, 2013, at 1:00 p.m.** at the National Labor Relations Board, Region 31, 11500 West Olympic Boulevard, Suite 600, Los Angeles, California, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this consolidated complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: May 22, 2013

A handwritten signature in black ink, appearing to read "Brian Gee", is written over a horizontal line.

Brian Gee, Acting Regional Director
National Labor Relations Board, Region 31
11500 West Olympic Boulevard, Suite 600
Los Angeles, CA 90064

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Cases 31-CA-093108 and 31-CA-099433

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements *will not be granted* unless good and sufficient grounds are shown *and* the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in *detail*;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

(b) (6), (b) (7)(C)
THE GENTLE BARN FOUNDATION, INC.
15825 SIERRA HWY
SANTA CLARITA, CA 91390-4731

JEFFREY S. WHITTINGTON
KAUFMAN BORGEEST & RYAN LLP
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

NICHOLAS SARRIS
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SADAF BATHAEE
KAUFMAN BORGEEST & RYAN LLP
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

(b) (6), (b) (7)(C) AND **(b) (6), (b) (7)(C)**,
C/O DREW L. ALEXIS
KINAGA LAW FIRM
617 S. OLIVE STREET, SUITE 1210
LOS ANGELES, CA 90014

DREW ALEXIS, ATTORNEY
KINAGA LAW FIRM
617 S OLIVE ST, STE 1210
LOS ANGELES, CA 90014-1633

**SUMMARY OF STANDARD PROCEDURES IN FORMAL HEARINGS HELD
BEFORE THE NATIONAL LABOR RELATIONS BOARD
IN UNFAIR LABOR PRACTICE PROCEEDINGS PURSUANT TO
SECTION 10 OF THE NATIONAL LABOR RELATIONS ACT**

The hearing will be conducted by an administrative law judge of the National Labor Relations Board who will preside at the hearing as an independent, impartial finder of the facts and applicable law whose decision in due time will be served on the parties. The offices of the administrative law judges are located in Washington, DC; San Francisco, California; New York, N.Y.; and Atlanta, Georgia.

At the date, hour, and place for which the hearing is set, the administrative law judge, upon the joint request of the parties, will conduct a "prehearing" conference, prior to or shortly after the opening of the hearing, to ensure that the issues are sharp and clearcut; or the administrative law judge may independently conduct such a conference. The administrative law judge will preside at such conference, but may, if the occasion arises, permit the parties to engage in private discussions. The conference will not necessarily be recorded, but it may well be that the labors of the conference will be evinced in the ultimate record, for example, in the form of statements of position, stipulations, and concessions. Except under unusual circumstances, the administrative law judge conducting the prehearing conference will be the one who will conduct the hearing; and it is expected that the formal hearing will commence or be resumed immediately upon completion of the prehearing conference. No prejudice will result to any party unwilling to participate in or make stipulations or concessions during any prehearing conference.

(This is not to be construed as preventing the parties from meeting earlier for similar purposes. To the contrary, the parties are encouraged to meet prior to the time set for hearing in an effort to narrow the issues.)

Parties may be represented by an attorney or other representative and present evidence relevant to the issues. All parties appearing before this hearing who have or whose witnesses have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603, and who in order to participate in this hearing need appropriate auxiliary aids, as defined in 29 C.F.R. 100.603, should notify the Regional Director as soon as possible and request the necessary assistance.

An official reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the administrative law judge for approval.

All matter that is spoken in the hearing room while the hearing is in session will be recorded by the official reporter unless the administrative law judge specifically directs off-the-record discussion. In the event that any party wishes to make off-the-record statements, a request to go off the record should be directed to the administrative law judge and not to the official reporter.

Statements of reasons in support of motions and objections should be specific and concise. The administrative law judge will allow an automatic exception to all adverse rulings and, upon appropriate order, an objection and exception will be permitted to stand to an entire line of questioning.

All exhibits offered in evidence shall be in duplicate. Copies of exhibits should be supplied to the administrative law judge and other parties at the time the exhibits are offered in evidence. If a copy of any exhibit is not available at the time the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the administrative law judge before the close of hearing. In the event such copy is not submitted, and the filing has not been waived by the administrative law judge, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

Any party shall be entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. In the absence of a request, the administrative law judge may ask for oral argument if, at the close of the hearing, it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.

In the discretion of the administrative law judge, any party may, on request made before the close of the hearing, file a brief or proposed findings and conclusions, or both, with the administrative law judge who will fix the time for such filing. Any such filing submitted shall be double-spaced on 8 1/2 by 11 inch paper.

Attention of the parties is called to the following requirements laid down in Section 102.42 of the Board's Rules and Regulations, with respect to the procedure to be followed before the proceeding is transferred to the Board: No request for an extension of time within which to submit briefs or proposed findings to the administrative law judge will be considered unless received by the Chief Administrative Law Judge in Washington, DC (or, in cases under the branch offices in San Francisco, California; New York, New York; and Atlanta, Georgia, the Associate Chief Administrative Law Judge) at least 3 days prior to the expiration of time fixed for the submission of such documents. Notice of request for such extension of time must be served simultaneously on all other parties, and proof of such service furnished to the Chief Administrative Law Judge or the Associate Chief Administrative Law Judge, as the case may be. A quicker response is assured if the moving party secures the positions of the other parties and includes such in the request. All briefs or proposed findings filed with the administrative law judge must be submitted in triplicate, and may be printed or otherwise legibly duplicated with service on the other parties.

In due course the administrative law judge will prepare and file with the Board a decision in this proceeding, and will cause a copy thereof to be served on each of the parties. Upon filing of this decision, the Board will enter an order transferring this case to itself, and will serve copies of that order, setting forth the date of such transfer, on all parties. At that point, the administrative law judge's official connection with the case will cease.

The procedure to be followed before the Board from that point forward, with respect to the filing of exceptions to the administrative law judge's decision, the submission of supporting briefs, requests for oral argument before the Board, and related matters, is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be served on the parties together with the order transferring the case to the Board.

Adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations. If adjustment appears possible, the administrative law judge may suggest discussions between the parties or, on request, will afford reasonable opportunity during the hearing for such discussions.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 31**

THE GENTLE BARN FOUNDATION, INC.

and

Case 31-CA-093108

**(b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C),
Individuals**

**AFFIDAVIT OF SERVICE OF: Order Consolidating Cases, Consolidated Complaint
and Notice of Hearing (with forms NLRB-4338 and NLRB-4668 attached)**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **May 22, 2013**, I served the above-entitled document(s) by **certified or regular mail**, as noted below, upon the following persons, addressed to them at the following addresses:

**CERTIFIED MAIL,
RETURN RECEIPT REQUESTED**

JEFFREY S. WHITTINGTON
KAUFMAN BORGEEST & RYAN LLP
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

NICHOLAS SARRIS
KAUFMAN BORGEEST & RYAN LLP
23975 PARK SORRENTO, STE 370
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SADAF BATHAE
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CALABASAS, CA 91302-4022

DREW ALEXIS, ATTORNEY
KINAGA LAW FIRM
617 S OLIVE ST, STE 1210
LOS ANGELES, CA 90014-1633

REGULAR MAIL

(b) (6), (b) (7)(C)
THE GENTLE BARN FOUNDATION, INC.
15825 SIERRA HWY
SANTA CLARITA, CA 91390-4731

(b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C), C/O DREW L. ALEXIS
KINAGA LAW FIRM
617 S. OLIVE STREET, SUITE 1210
LOS ANGELES, CA 90014

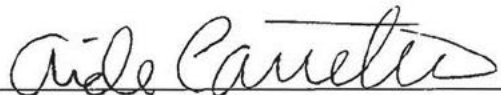
ARGIE REPORTING
5900 NIEMAN ROAD, STE 200
SHAWNEE, KS 66203

May 22, 2013

Date

Aide Carretero, Designated Agent of NLRB

Name



Signature

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
Region 31

THE GENTLE BARN FOUNDATION, INC.

and

(b) (6), (b) (7)(C), an Individual

and

(b) (6), (b) (7)(C), an Individual

Cases 31-CA-093108 &

31-CA-099433

ANSWER

Respondent THE GENTLE BARN FOUNDATION, INC. (hereinafter "Respondent"), by their undersigned attorneys, hereby answers the Complaint and Notice of Hearing ("Complaint") filed by the Acting General Counsel of the National Labor Relations Board ("NLRB"):

GENERAL DENIAL

Respondent denies generally and specifically each and every allegation contained in the Complaint and denies that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) (hereinafter "Charging Parties") have suffered any injury or been damaged in any sum whatsoever.

DEFENSES

Because the Complaint is couched in conclusory terms, Respondent cannot fully anticipate all defenses that may be applicable to the Complaint. Accordingly, Respondent's right to assert additional defenses, if and to the extent that such defenses are applicable, is hereby reserved. Without assuming any burden of proof, persuasion or production not otherwise legally assigned to it as to any element of the claims alleged in the Complaint, Respondent asserts the following defenses:

1. The Complaint and each purported claim for relief stated therein fail to allege facts sufficient to a claim upon which relief may be granted;
2. Respondent did not engage in surveillance, or create an impression among its employees that they were under surveillance, as set forth in Paragraph 5 and 7 of the Complaint;
3. Respondent did not interfere with, restrain, and/or coerce employees in the exercise of the rights guaranteed to employees pursuant to Section 7 of the National Labor Relations Act ("NLRA");
4. The alleged activities set forth in the Complaint do not constitute the exercise of the rights guaranteed in Section 7 of the NLRA;
5. Charging Parties did not engage in concerted activities with other employees for the purposes of mutual aid and protection by complaining about working conditions, as set forth in Paragraph 6 of the Complaint; and
6. Charging Parties were discharged due to their poor performance and insubordinate behavior. As such, contrary to the assertion set forth in Paragraph 8, Respondent did not interfere with, restrain, and/or coerce the Charging Parties in their exercise of the rights guaranteed in Section 7 of the NLRA.

WHEREFORE, Respondent prays as follows:

1. That Acting General Counsel take nothing by reason of its Complaint on file herein;
2. That the Complaint be dismissed in its entirety with prejudice.
3. That the Acting General Counsel be denied each and every demand and prayer for relief contained in the Complaint;

4. That Respondent recover its costs and attorneys' fees incurred herein; and
5. For such other and further relief as the National Labor Relations Board may deem just and proper.

DATED: June 5, 2013

KAUFMAN BORGEEST & RYAN LLP

By: _____



JEFFREY S. WHITTINGTON, ESQ.
NICHOLAS W. SARRIS, ESQ.
SADAF BATHAEE, ESQ.
Attorneys for Respondent,
THE GENTLE BARN FOUNDATION

CASE NAME: (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) v. The Gentle Barn Foundation, Inc.
CASE NO.: 31-CA-093108

I am employed in the County of Los Angeles, California. I am over the age of 18 years, and not a party to the within action; my business address is 23975 Park Sorrento, Suite 370, Calabasas, California 91302. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

GENTLE BARN ANSWER TO COMPLAINT

☒ on the party or parties named below, by following ordinary business practice, placing a true copy thereof enclosed in a sealed envelope, for collection and mailing with a United States Postal Service, where it would be deposited for first class delivery, postage fully prepaid, in the United States Postal Service, that same day in the ordinary course of business, addressed as set forth below. *(Regular Office Deposit)*

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on June 5, 2013, at Calabasas, California.

By: (b) (6), (b) (7)(C)

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
Region 31

THE GENTLE BARN FOUNDATION, INC.

and

(b) (6), (b) (7)(C), an Individual.

Cases 31-CA-093108 &
31-CA-099433

and

(b) (6), (b) (7)(C), an Individual.

ORDER APPROVING WITHDRAWAL OF CHARGES AND
DISMISSING CONSOLIDATED COMPLAINT

Based upon charges 31-CA-093108 and 31-CA-099433 filed by (b) (6), (b) (7)(C), an Individual, and (b) (6), (b) (7)(C), an Individual (together, Charging Parties), the Acting Regional Director for Region 31, Brian Gee, issued an Order Consolidating Cases, Amended Consolidated Complaint and Notice of Hearing on May 22, 2013. On August 2, 2013, the Charging Parties requested that charges 31-CA-093108 and 31-CA-099433 be withdrawn based on the non-Board agreement reached with The Gentle Barn Foundation, Inc.

IT IS HEREBY ORDERED that the Charging Parties' request to withdraw charges 31-CA-093108 and 31-CA-099433 be and the same hereby is approved, and the Consolidated Complaint issued in these cases be and hereby is dismissed.

Dated: August 6, 2013


Mori Pam Rubin, Regional Director
National Labor Relations Board, Region 31
11500 West Olympic Boulevard, Suite 600
Los Angeles, CA 90064

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 31

THE GENTLE BARN FOUNDATION, INC.

and

Cases 31-CA-093108

31-CA-099433

(b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C),
Individuals

AFFIDAVIT OF SERVICE OF: Order Approving Withdrawal of Charges and
Dismissing Consolidated Complaint.

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **August 6, 2013**, I served the above-entitled document(s) by **regular mail**, as noted below, upon the following persons, addressed to them at the following addresses:

REGULAR MAIL

JEFFREY S. WHITTINGTON
KAUFMAN BORGEEST & RYAN LLP
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

(b) (6), (b) (7)(C)
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15825 SIERRA HWY
SANTA CLARITA, CA 91390-4731

NICHOLAS SARRIS
KAUFMAN BORGEEST & RYAN LLP
23975 PARK SORRENTO, STE 370
CALABASAS, CA 91302-4022

(b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) C/O DREW L. ALEXIS
KINAGA LAW FIRM
617 S. OLIVE STREET, SUITE 1210
LOS ANGELES, CA 90014

SADAF BATHAEE
KAUFMAN BORGEEST & RYAN LLP
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ARGIE REPORTING SERVICES
5900 NIEMAN ROAD, STE 200
SHAWNEE, KS 66203

DREW ALEXIS, ATTORNEY
KINAGA LAW FIRM
617 S OLIVE ST, STE 1210
LOS ANGELES, CA 90014-1633

August 6, 2013

Date

Aide Carretero, Designated Agent of NLRB

Name



Signature